

# **Excerpted Depo. Tr. Francisco Colon**

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1 Q. Did you have an opportunity or occasion to  
2 observe Sergeant Mancini performing his job  
3 duties prior to June 2012?

4 A. On occasion, yeah. When I was -- much prior  
5 to me becoming Department Inspector, maybe when I  
6 was in narcotics or maybe when I was in  
7 detectives. So I've had some interaction with  
8 the Sergeant, but not -- he never worked for me  
9 directly or -- and I can't say that we -- did I  
10 have a great deal of experience or a great deal  
11 of contact with the Sergeant working, I can't say  
12 that.

13 Q. Were you able to formulate an opinion about  
14 Sergeant Mancini's abilities as a police officer  
15 prior to June 2012?

16 A. Not based on firsthand direct knowledge. It  
17 wouldn't be fair to say that that would be the  
18 case, no.

19 Q. So would it be fair to say you had no opinion of  
20 Sergeant Mancini's capabilities as a police  
21 officer prior to June 2012?

22 MR. McHUGH: Objection as to form. You  
23 can answer. You can answer.

24 A. Did I have an opinion? Yeah. So your  
25 question is, is it fair to say I had an opinion,

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1 I think is what you said.

2 Q. Right.

3 A. No. I did have an opinion.

4 Q. What was your opinion of him?

5 A. My opinion was that he was a negative police  
6 officer.

7 Q. Okay. So prior to that meeting in June of 2012,  
8 you thought Sergeant Mancini was a negative  
9 police officer?

10 A. Yes.

11 Q. Can you point to any evidence to support that?

12 A. It was based -- okay. So just prior to the  
13 exam, I had had conversations with Sergeant  
14 Grenada who indicated to me that the Sergeant was  
15 less than responsive in terms of providing  
16 Sergeant Grenada with certain documentation that  
17 the Sergeant was looking for. So I had had a  
18 conversation or maybe several conversations with  
19 Sergeant Grenada, and that's what I recall. And  
20 this was just prior to the exam. Again, Sergeant  
21 Granada indicated to me that the Sergeant was  
22 less than responsive in providing documents that  
23 he needed.

24 Q. What documents?

25 A. Medical documents, I believe, is what they

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1 care if you have a hundred reasons or one reason.

2 I want to know all of them. Okay?

3 A. I'm going to make it easy for you. I don't

4 have any specific instances. I can tell you

5 this: That being a policeman for 29 years going

6 on 30, you hear other bosses and supervisors

7 communicating about other officers. And so most

8 of the information that I have was based on

9 communications from other officers.

10 For example, at that meeting there were, as

11 I recall, there was a conversation, the specifics

12 of which I cannot recall, but we went around the

13 table and people who supervise him directly

14 provided information that was easily interpreted

15 as indicating that he was an officer who was a

16 negative officers, not the best performer.

17 Again, directly I can't tell you that I've

18 witnessed or -- I can't give you any direct

19 knowledge. So my opinion was based on

20 information that I was getting from other

21 officers, supervisors -- officers who supervised

22 him.

23 Q. I want to talk specifically about an opinion that

24 you formed about Sergeant Mancini before that

25 meeting, before you heard other police officers

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1 A. Not that I'm aware of.

2 Q. Did you ever hear of any problems that Sergeant  
3 Mancini had when he was over in Homeland  
4 Security?

5 A. Not that I'm aware of.

6 Q. Do you remember what you recommended for service  
7 points for Sergeant Mancini?

8 A. Yes.

9 Q. What?

10 A. A zero.

11 Q. Why did you recommend he get a zero?

12 A. I think I've already answered that in the  
13 beginning of this.

14 Q. You did?

15 A. Yeah.

16 Q. Okay. Can you answer it again? I must have  
17 missed it.

18 A. Sure. I said that I formulated my opinion to  
19 recommend a zero based on conversations and  
20 information that was provided to me by officers  
21 who supervised him, including officers who were  
22 making recommendations about what points they  
23 were going to recommend for Sergeant Mancini, in  
24 addition to the information I had from Sergeant  
25 Grenada about his less than responsiveness to

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1 providing documents.

2 Q. Is one of the reasons that you recommended  
3 Mancini get a zero for service points because he  
4 wasn't providing documentation to Sergeant  
5 Grenada regarding his injury?

6 A. I just told you, it was one of the things  
7 that I considered.

8 Q. So it factored into your decision to recommend a  
9 zero?

10 A. That he's not being cooperative and he's a  
11 supervisor, he's a Sergeant, and I'm hearing  
12 complaints from Sergeant Grenada that he's less  
13 than responsive, absolutely. That's not the  
14 behavior you expect from a supervising officer.

15 Q. Did you ever talk to Sergeant Mancini as to  
16 whether or not Sergeant Grenada's allegations  
17 were accurate?

18 A. No.

19 Q. Why not?

20 A. I didn't -- I relied on Sergeant Grenada and  
21 relied on the fact that I believe he was being  
22 forthright and forthcoming in telling the truth.  
23 If you know Sergeant Grenada, there's no one --  
24 he's an honest man, God-fearing man. Sergeant  
25 Grenada is not going to make something like that

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1 misconduct, yes.

2 Q. I'm going to represent to you that he received an  
3 award of service points of three. Are you aware  
4 of that?

5 A. I can see that.

6 Q. And you represented he get a three; right?

7 A. I did.

8 Q. And you recommended that he get a higher grade  
9 for service points than Sergeant Mancini; right?

10 A. Clearly.

11 Q. Why?

12 A. I don't know why. I just did.

13 Q. Would you agree with me that using excessive  
14 force is a more serious offense than being  
15 negative?

16 A. Yes.

17 Q. And it's -- using excessive force is a more  
18 serious offense than not turning in your  
19 paperwork --

20 A. Yes.

21 Q. -- for an injury?

22 A. Yes.

23 MR. GAGLIARDI: This is Exhibit 3.

24 (PLAINTIFF'S EXHIBIT 3 MARKED FOR ID)

25 Q. Okay, Major Colon, I've just handed you what's

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1 a patrolman, which is sort of how I remember it,  
2 and then at some point given a reprieve and  
3 allowed to go back to detectives where he  
4 originally came from. So before he got promoted  
5 to Sergeant, he was a detective in BCI, right,  
6 eventually gets demoted, and as I recall, he got  
7 demoted back to patrolman and then eventually  
8 allowed to go back to BCI, is how I recall it. I  
9 could be wrong. He could have gone from Sergeant  
10 to BCI, but I don't think so. As I recall it, he  
11 went from Sergeant to patrolman for a little  
12 while.

13 Q. What did he do that resulted in his demotion?

14 A. He was one of the Sergeants or may have been  
15 the Sergeant that responded to a high profile  
16 incident where excessive force was used by an  
17 officer who eventually was terminated, that led  
18 to a criminal investigation.

19 Q. And you would concede that what Officer Renzi did  
20 that resulted in his demotion was worse than  
21 Sergeant Mancini's not turning in paperwork to  
22 Sergeant Grenada and worse than Sergeant Mancini  
23 being negative; right?

24 A. Yes.

25 MR. GAGLIARDI: Exhibit 4.